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In re Application of
Brigitte Chau Phan et al.
Application No. 10/087,549
Filed: February 28, 2002
Attorney Docket No: BT12 00102703(USP3)
USP8

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.47(a) filed November 1, 2004, which is being treated as a petition under 37 CFR 1.183 seeking waiver of 37 CFR §§ 1.67 and 1.63 where they require that a supplemental declaration be executed by the named inventor.¹

The petition is **GRANTED**.

In view of the efforts recounted in the petition to obtain the signature of KaYuen Yeung, it is agreed that justice would be served by waiving the requirement for her signature on the supplemental declaration filed November 1, 2004.

The aforementioned supplemental declaration has been accepted, on petition, and placed in the file.

This matter is being referred to Technology Center 1634.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

¹ Once an application has received a fully executed oath or declaration and been placed on the files for examination, the provisions of 37 CFR 1.47 no longer apply. Rather, the remedy for treating an inventor's refusal to also sign a supplemental oath or declaration is waiver of 37 CFR 1.67. See MPEP 603.